

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CONSUMERS ENERGY COMPANY)
and DTE ELECTRIC COMPANY,) Case No. 4:22-cv-10847
)
Plaintiffs,) Judge F. Kay Behm
)
v.) Mag. Judge Curtis Ivy, Jr.
)
TOSHIBA AMERICA ENERGY)
SYSTEMS CORPORATION and)
TOSHIBA CORPORATION,)
)
Defendants.)

**AGREED ORDER SETTING BRIEFING SCHEDULE AND PAGE LIMITS
FOR SUMMARY JUDGMENT AND DAUBERT MOTIONS**

The matter having come before the Court on the Parties' Agreed Motion to Set Briefing Schedule and Page Limits for Summary Judgment and *Daubert* Motions:

IT IS HEREBY ORDERED that the briefing schedule and page limits for summary judgment and *Daubert* motions are as follows:

1. Schedule:

- a. Motions and opening briefs due March 20, 2025;
- b. Opposition briefs due April 17, 2025;
- c. Reply briefs due May 1, 2025.

2. Page limits:

- a. For summary judgment: 40 pages for opening briefs, 40 pages for opposition briefs, and 15 pages for reply briefs. The page limitations apply collectively to each party group (*i.e.*, both Plaintiffs and both Defendants, respectively, will share single briefs of the specified length) and are inclusive of all statements of fact, legal arguments, and summaries of evidence. Each party group may file only one motion for summary judgment. Motions filed separate from briefs will be limited to a pro forma recitation of the basis for the motion.
- b. For *Daubert* motions: Local Rule 7.1 limits.

SO ORDERED:

Date: March 7, 2025

s/F. Kay Behm
Judge F. Kay Behm
United States District Judge